

REQUEST FOR COUNCIL ACTION

MEETING
DATE: 01-22-03

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AGENDA SECTION: BLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO. E-2
ITEM DESCRIPTION: Annexation #02-25 by Mark Leitzen to annex approximately 54.98 acres of land. The property is in a part of the NE ¼ of Section 24, Rochester Township. The property is located along the west side of County Road 1 and along the north side of US Highway 52.		PREPARED BY: Theresa Fogarty, Planner

January 13, 2003

City Planning and Zoning Commission Recommendation:

The City Planning and Zoning Commission reviewed this annexation request on January 8, 2003. The Commission found that this property is adjacent to the city limits and can be served with the extension of the City's Water Quality Protection Program for the Southport Area with anticipated sewer & water being extended to serve portions of this property during the 2003 building season. The Planning Commission therefore recommends approval of this request.

Ms. Petersson moved to recommend approval of Annexation Petition #02-25 by Mark Leitzen. Ms. Rivas seconded the motion. The motion carried 8-0.

Planning Department Recommendation:

See attached staff report, dated December 27, 2003.

Minnesota Statutes now specify that the property taxes payable in the year an annexation is effective shall be paid to the Township. For the five years following the annexation, the City must make a cash payment to the Township equaling 90%, 70%, 50%, 30% and 10% of the Townships share of the taxes in the year the property was annexed. The Township Taxes on this property for 2001 is \$96.62.

Council Action Needed:

1. Following the public hearing, if the Council wishes to proceed as petitioned, it should instruct the City Attorney to prepare an ordinance to be adopted and transmitted to the MN Planning /Office of Strategic and Long Range Planning.

Attachments

1. Staff report, dated December 27, 2002.
2. Draft copy of the minutes of the January 8, 2003 CPZC meeting.

Distribution:

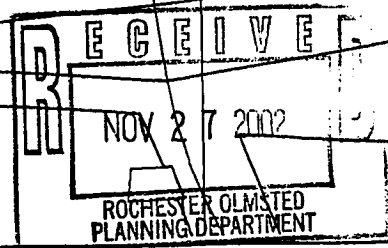
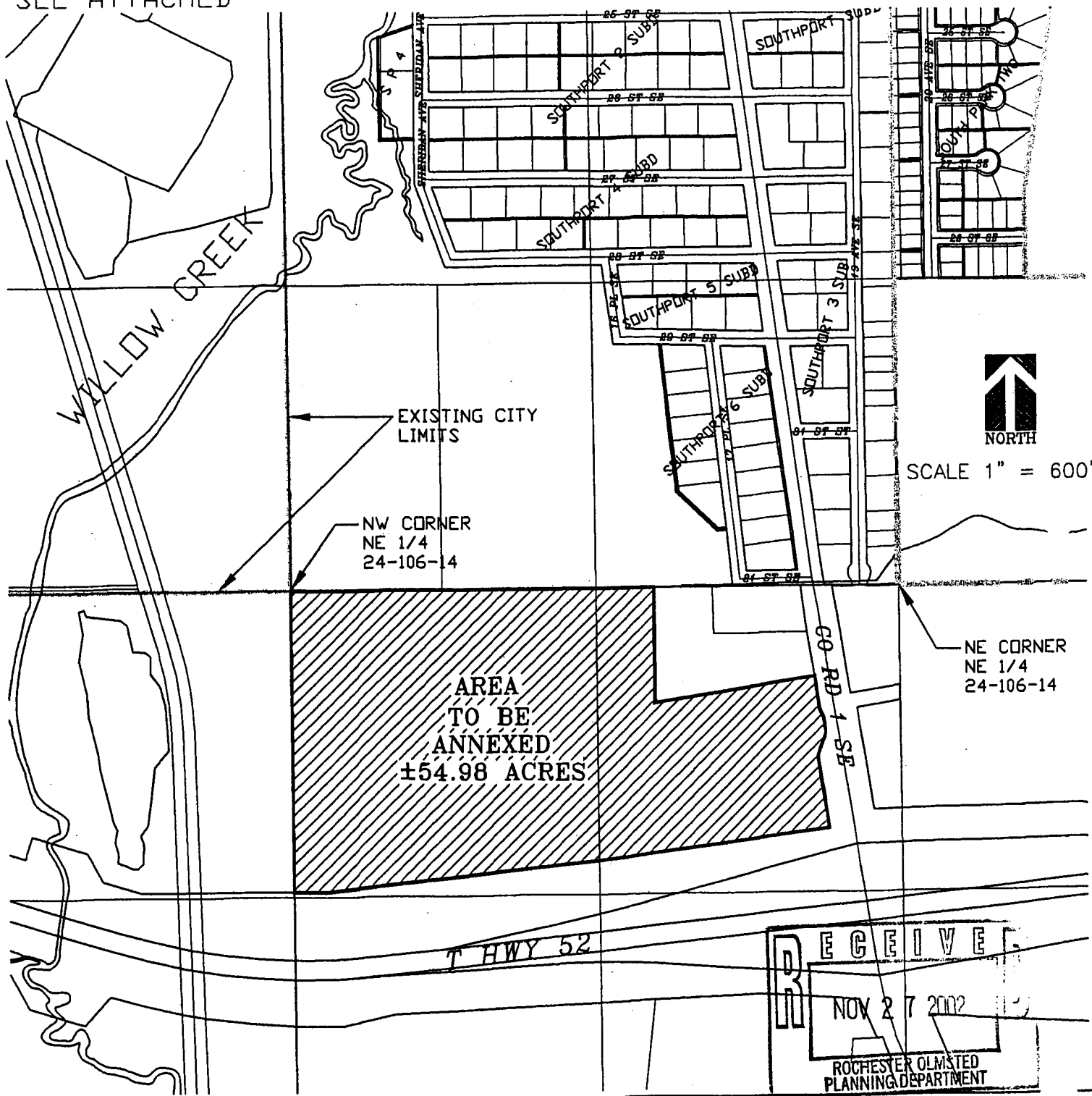
1. City Administrator
2. City Clerk
3. City Attorney: Legal Description Attached
4. City Finance Director: Tax Information Attached
5. Planning Department File
6. Applicant: This item will be considered sometime after 7:00 p.m. on Wednesday, January 22, 2003 in the Council Chambers at the Rochester / Olmsted County Government Center.
7. McGhie & Betts, Inc.

COUNCIL ACTION: Motion by: _____ Second by: _____ to: _____

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ANNEXATION EXHIBIT

DESCRIPTION:
SEE ATTACHED



FOR :

MARK LEITZEN

Land Surveying

Urban-Land Planning

Consulting - Civil Engineering

1040 Third Avenue S.E.
Rochester, MN 55904
Telephone: 507.289.2913
Facsimile: 507.289.7533

McGhie



Betts, Inc.

Geotechnical Engineering

Construction Material Testing

Landscape Architecture

email: mbi@mcghiebetts.com

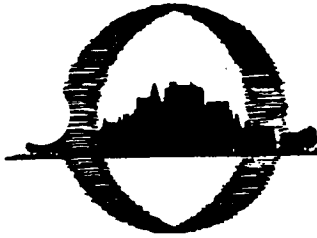
SCALE: 1" = 600'

DRAWN BY: JJJ

DATE: 11/15/01

ACCT. NO.: 2303A/0478 Cadd No. 0478ANNE

FILE NO.: BK. PG.



ROCHESTER-OLMSTED PLANNING DEPARTMENT

2122 Campus Drive SE, Suite 100 • Rochester, MN 55904-4744

COUNTY OF

Olmsted

www.olmstedcounty.com/planning



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TO: City Planning and Zoning Commission

FROM: Theresa Fogarty, Planner

DATE: December 27, 2002

RE: Annexation Petition #02-25 by Mark Leitzen to annex approximately 54.98 acres of land. The property is in part of the NE ¼ of Section 24, Rochester Township. The property is located along the west side of County Road 1 and along the north side of US Highway 52.

Planning Department Review:

Applicants/Owners:

Mark Leitzen
4019 Highway 14 West
Rochester, MN 55901

Architect/Engineer:

McGhie & Betts, Inc.
1648 Third Avenue SE
Rochester, MN 55904

Location of Property:

The property is located along the west side of County Road 1 and along the north side of US Highway 52.

Existing Land Use:

This property is currently undeveloped land.

Size:

The property proposed for annexation is approximately 54.98 acres of unplatted land.

Existing Zoning:

The property is zoned A-4 (Agricultural Urban Expansion) District on the Olmsted County zoning map.

Future Zoning:

Upon annexation, the property will be zoned R-1 (Mixed Single Family Residential) district on the Rochester zoning map.

Land Use Plan:

This property is designated for "low density residential" uses on the Rochester Urban Service Area Land Use Plan.

Adjacency to the Municipal Limits:

The property is adjacent to the city limits along the corner of the northwestern boundary.



Sewer & Water:

This area is within the Main Level Water System, which is currently available approximately 2500' to the west 30th Street SE along the east side of Menards and approximately 2700' to the north at the SE corner of Willow Creek Middle School.

The property cannot currently be served by municipal sanitary sewer & water, but has petitioned for the extension of sanitary sewer & municipal water service under the City's Southport utility extension project (City's Water Quality Protection Program). It is anticipated that sewer & water will be extended to serve portions of this property during the 2003 building season.

The anticipated future Water Quality Protection Program in the Southport area will bring a 12" water main to the intersection of 31st Street and 17th Place SE. Ultimately this 12" water main must be extended from the intersection of 17th Place and 31st Street west to the 12" main at Menards to create a looped system that will benefit all adjacent properties within increased flows for fire protection. The static water pressure at elevation 1080 will be in the 37 to 41 PSI range. All buildings with the main floor above this elevation must have larger water services to minimize pressure losses during higher demand periods. Building main floors constructed above the 1090 elevation will not be allowed.

Utilities:

Pursuant to Minnesota Statutes 414.033 (subd. 13), a municipality must notify a petitioner that the cost of electric utility service may change if the land is annexed to the municipality. A notice has been provided to the applicant.

Townboard Review:

Minnesota State Statutes require that the Townboard members receive a written notice, by certified mail, 30 days prior to the public hearing. The City Council will hold a public hearing on this item on January 22, 2003. The City Clerk has sent the certified 30 day notice.

Wetlands:

Willow Creek is public waters and will be covered by floodplain and shoreland zoning requirements.

Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of any future development on this property.

Referral Comments:

1. Rochester Public Utilities - Water Division
2. Rochester Public Works Department
3. MN Department of Transportation
4. Planning Department – Wetlands LGU Representative
5. Rochester Fire Department

Report Attachments:

1. Annexation Map / Location Map
2. Referral Comments (5 letters)

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Staff Recommendation:

This property is adjacent to the City limits. Currently the property cannot be served with municipal utilities, but can be served with the extension of the City's Water Quality Protection Program for the Southport Area with anticipated sewer & water being extended to serve portions of this property during the 2003 building season. The Planning staff recommends that the City proceed to adopt an ordinance annexing the property according to Minnesota Statutes 414.033, Subdivision 2(3).

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we pledge. we deliver

December 10, 2002

Rochester-Olmsted
CONSOLIDATED PLANNING DEPARTMENT
2122 Campus Drive SE
Rochester, MN 55904-7996

REFERENCE: Annexation Petition #02-25 by Mark Leitzen to annex 54.98 acres of land located along the west side of County Rd 1 and along the north side of US Highway 52.

Dear Ms. Garness:

Our review of the referenced petition is complete and our comments follow:

1. The property may be subject to the water availability fee, connection fees or assessments. The Land Development Manager (507-281-6198) at the Public Works Department determines the applicability of these fees.
2. This area is within the Main Level Water System Area, which is currently available approximately 2500' to the west on 30th Street SE along the east side of Menards and approximately 2700' to the north at the SE corner of Willow Creek Middle School property.
3. An anticipated future Water Quality Protection Project in the Southport area will bring a 12" water main to the intersection of 31st Street and 17th Place SE. Ultimately this 12" water main must be extended from the intersection of 17th Place and 31st St. west to the 12" main at Menards to create a looped system that will benefit all adjacent properties with increased flows for fire protection.
4. The static water pressure at elevation 1080 will be in the 37 to 41 PSI range. All buildings with the main floor above this elevation must have larger water services to minimize pressure losses during higher demand periods. Building main floors will not be allowed constructed above the 1090 elevation (static pressure 33 to 37 PSI range).
5. We will work with the applicant's engineering firm to develop the necessary water system layout to serve this area.

Please contact us at 507-280-1600 if you have questions.

Very truly yours,

Donn Richardson
Water

C: Doug Rovang, RPU
Mike Engle, RPU
Mark Baker, City Public Works
Vance Swisher, Fire Prevention
Mark Leitzen
McGhie & Betts, Inc.

ROCHESTER

— Minnesota —

TO: Consolidated Planning Department
2122 Campus Drive SE
Rochester, MN 55904

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DEPARTMENT OF PUBLIC
WORKS
201 4th Street SE Room 108
Rochester, MN 55904-3740
507-287-7800
FAX – 507-281-6216

FROM: Mark E. Baker

Date: 12/19/02

The Department of Public Works has reviewed the requested application for Annexation #02-25 on the Mark Leitzen (p/o NE ¼ Section 24, Rochester Township) property. The following are Public Works comments on the proposal:

1. This property cannot currently be served by municipal sanitary sewer & water, but has petitioned for the extension of sanitary sewer & municipal water service under the City's Southport utility extension project. It is anticipated that sewer & water will be extended to serve portions of this property during the 2003 building season.



Minnesota Department of Transportation

Minnesota Department of Transportation - District 6

Mail Stop 060
2900 48th Street N.W.
Rochester, MN 55901-5848

Office Tel: 507-280-2913

Fax: 507-285-7355

E-mail: dale.maul@dot.state.mn.us

December 10, 2002

Jennifer Garness
Rochester Olmsted Planning Department
2122 Campus Drive SE - Suite 100
Rochester, MN 55904

RE: Annexation Petition #02-25 by Mark Leitzen to annex approximately 54.98 acres of land. The property is in part of the NE ¼ of Section 24, Rochester Township. The property is located along the west side of County Road 1 and along the north side of TH 52.

Dear Ms. Garness:

The Minnesota Department of Transportation (Mn/DOT) has reviewed the Annexation Petition #02-05 by Mark Leitzen located along the west side of CR 1 and along the north side of TH 52. This location is not within Mn/DOT's "Design Build Project" for TH 52 and Mn/DOT also has access control along this parcel. This Annexation Petition is acceptable with Mn/DOT.

Please contact Fred Sandal, Principal Planner, at (507) 285-7369 or Debbie Persoon-Bement, Plan and Plat Coordinator, at (507) 281-7777 with any questions you may have.

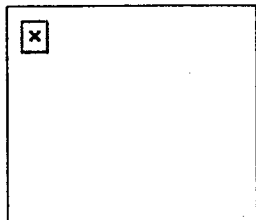
Sincerely,

Dale E. Maul
Planning Director

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Garness Jennifer

From: Swisher, Vance [vswisher@ci.rochester.mn.us]
Sent: Monday, December 23, 2002 10:16 AM
To: Donn Richardson (E-mail); Jennifer Garness (E-mail)
Subject: Annex Petition 02-25I.doc



The hand to reach for...

**DAVID A.
KAPLER**
Fire Chief

DATE: December 23, 2002
TO: Jennifer Garness, Planning
FROM: R. Vance Swisher, Fire Protection Specialist
SUBJECT: Annexation Petition #02-25
NE ¼ of Section 24, Rochester Township
West side of County Rd 1 and North side of US Hwy 52

With regard to the above noted annexation petition plan, the fire department has the following requirements with regard to future development on this site:

1. An adequate water supply shall be provided for fire protection including hydrants properly located and installed in accordance with the specifications of the Water Division. Hydrants shall be in place prior to commencing building construction.
2. Streets and roadways shall be as provided in accordance with the fire code, RCO 31 and the Zoning Ordinance and Land Development Manual. Emergency vehicle access roadways shall be serviceable prior to and during building construction.
3. All street, directional and fire lane signs must be in place prior to occupancy of any buildings.
4. All buildings are required to display the proper street address number on the building front, which is plainly visible and legible from the street fronting the property. Number size must be a minimum 4" high on contrasting background when located on the building and 3" high if located on a rural mail box at the public road fronting the property. Reflective numbers are recommended.

c: Donn Richardson, RPU, Water Division

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ROCHESTER-OLMSTED PLANNING DEPARTMENT
2122 CAMPUS DRIVE SE - SUITE 100
ROCHESTER, MN 55904
PHONE (507) 285-8232
FAX (507) 287-2275

Date: December 2, 2002
To: Agencies Indicated Below
From: Jennifer Garness, Planning Department
Subject: Annexation Petition #02-25 by Mark Leitzen to annex approximately 54.98 acres of land. The property is in part of the NE 1/4 of Section 24, Rochester Township. The property is located along the west side of County Road 1 and along the north side of US Highway 52.

This application is scheduled for consideration by the City Planning and Zoning Commission on January 8, 2003, in the Council/Board Chambers of the Government Center, 151 4th Street SE. In order for the Planning Department to prepare a thorough review of this application, we would appreciate receiving your comments by **December 27, 2002**. You may also appear at the meeting if you so desire. Your cooperation and assistance is greatly appreciated. *If you have comments, in addition to forwarding them to the Planning Department, please send a copy to:*

Mark Leitzen
4019 Highway 14 West
Rochester MN 55901

McGhie & Betts, Inc.
1648 Third Ave SE
Rochester MN 55904
(507) 289-3919

<u>City Agencies</u>	<u>County Agencies</u>	<u>Other Agencies</u>
1. Public Works Richard Freese	14. Health Department Rich Peter	18. School Board Jeff Kappers
2. Fire Department Lyle Felsch	15. Public Works	19. Aquila Neal Clausen
3. Crime Prevention Darrel Hildebrant, Gov. Center	16. GIS Division Randy Growden	20. Aquila Rory Lenton
4. Crime Prevention Steve Woslager	17. Environmental Resource Services	21. Qwest Julie Schletty
5. RPU Operations Division Mike Engle		22. Charter Communications
6. RPU Water Division Donn Richardson		23. MN DOT Dale Maul
7. Park & Recreation Denny Stotz		24. Post Office Supervisor
8. Building Safety Ron Boose		25. MN DNR Bob Bezek
9. City Attorney Dave Goslee		26. SWCD
10. Downtown Dev. Dist. Doug Knott		27. Peoples Coop Rick Wellik
11. City Administration Terry Spaeth		28. Peoples Coop Sandy Sturgis
12. Transportation Planner Charlie Reiter		29. CUDE, Design Review Committee Christine Schultze
13. John Harford, Planning Dept.		30. Susan Waughtal Neighborhood Organizer
		31. Township Officers

Willow Creek is public waters and will be covered by floodplain and shouldnd zoning requirements

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WETLAND COMMENTS FOR DEVELOPMENT APPLICATIONS

Application Number: Annexation #02-25 by Mark Leitzen

- ☐ No hydric soils exist on the site based on the Soil Survey
- ☒ Hydric soils exist on the site according to the Soil Survey. The property owner is responsible for identifying wetlands on the property and submitting the information as part of this application.
- ☐ A wetland delineation has been carried out for the property and is on file with the Planning Department.
- ☐ A wetland delineation is on file with the Planning Department and a No-Loss, Exemption, or Replacement Plan has been submitted to the Planning Department.
- ☐ A wetland related application has been approved by the City. This plan incorporates the approved wetland plan.
- ☐ No hydric soils exist on the property based on the Soil Survey. However, due to the location in the landscape, the property owner should examine the site for wetlands. The property owner is responsible for identifying wetlands.
- ☐ Other or Explanation:

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Draft Minutes of the City Planning & Zoning Commission
Date of Hearing: January 8, 2003

ANNEXATION:

Annexation Petition #02-25 by Mark Leitzen to annex approximately 54.98 acres of land. The property is in part of the NE ¼ of Section 24, Rochester Township. The property is located along the west side of County Road 1 and along the north side of US Highway 52.

Ms. Petersson moved to recommend approval of Annexation Petition #02-25 by Mark Leitzen. Ms. Rivas seconded the motion. The motion carried 8-0.